

Message

From: Dwyer, Stacey [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B9F207A623824720907845EAD85383CA-DWYER, STACEY]
Sent: 6/22/2015 2:11:17 PM
To: Hogan, James, NMENV [James.Hogan@state.nm.us]
Subject: RE: Draft Agenda and follow up questions on Discharge flows for nutrient TMDL Discussion

Good morning James. Let's start at 9 am since we have about 11 items on our agenda. We probably need to end by 4:30 p.m. to ensure that you don't get caught up in traffic.

Stacey

From: Hogan, James, NMENV [mailto:James.Hogan@state.nm.us]
Sent: Friday, June 19, 2015 4:52 PM
To: Dwyer, Stacey
Subject: RE: Draft Agenda and follow up questions on Discharge flows for nutrient TMDL Discussion

Good afternoon Stacey,

Attached please find

- 1) brief responses to your question on the TMDL flow issue
- 2) draft of the revised certification for the Chevron Questa mine permit.
- 3) Temporary Standards proposal (there are two documents one is a table stepping through the original version and also modified language based on pre-filed rebuttal testimony (changes highlighted))
- 4) Information on Los Lunas WLA for e coli

I hope sending these now will allow for more productive and efficient use of our time next week. Please let me know if there is anything else I can provide prior to our meeting.

Regarding logistics — what time would you like me to arrive — I arrive the night before for whatever time works for you all is fine with me. Likewise my return flight is at 7PM so I am guessing I could stay until ~5PM.

Have a great weekend,
James

From: Dwyer, Stacey [mailto:Dwyer.Stacey@epa.gov]
Sent: Tuesday, June 09, 2015 5:33 AM
To: Hogan, James, NMENV
Subject: Draft Agenda and follow up questions on Discharge flows for nutrient TMDL Discussion
Importance: High

James,

We have 7 items on the Draft agenda for our meeting. If you have additional items, please let me know. I also have included a short summary on our basic understanding of your proposal and follow up questions regarding discharge flows to be used in implementation of nutrient TMDLs within the NPDES permits.

I look forward to our meeting. I will be out of the office today, but if you have additional questions, you can email me.

Thank you,

Stacey B. Dwyer, P.E.
Associate Director

Draft Agenda for meeting on June 24, 2015

- 1) The discharge flows used in implementation of nutrient TMDLs within the NPDES permits.
- 2) Chevron 401 certification appeal,
- 3) LANL stormwater permit
- 4) Los Alamos MS4 designation- Los Alamos county concerned about legacy contamination. What other State or EPA authorities can be used to address this concern? (i.e., State RCRA authority, EPA permit for LANL)
- 5) Reallocation of bacteria waste loading for Los Lunas urbanized area
- 6) NMED's temporary standards proposal,
- 7) NMED CPP/WQM update

Discussion of NMED proposal

Basic understanding of the NMED proposal

- a. Use median stream flow for TMDL development
- b. Use median facility flow for TMDL development and assigning WLAs to facilities.
- c. No concentration limits in permits.
- d. Mass limits in permits to be directly taken from TMDL WLAs.

Questions for discussion on flows for TMDL.

1. Does NMED envision that the TMDL and subsequent permit would have different approaches for different scenarios, (i.e., effluent dominated versus stream dominated) or is this proposed approach believed to be the best for all scenarios?
2. The fifth summary point on pages 6-7 of the document says that "any discharge by the WWTP above or below the median flow will be allocated incrementally...." This process should be explained further. For instance, at what time-step will the facility's median discharge flow be evaluated (i.e., will the weekly, monthly, or annual average be taken)?
3. It is unclear whether the flows used will be annual medians or seasonal medians. Provide clarification.
4. How does NM envision compliance with a changing target will be assessed? Will the permit be re-assessed on a regular basis, and re-opened if needed? Or, will the permit have flow variability built in (e.g. via a table of discharge flows and corresponding loads, or an equation)?
5. How will this system work when there are multiple dischargers affected by one TMDL? More specifically, how will changes and updates to one facility's allocation be tracked relative to the remaining individual wasteload allocations (WLAs), and the overall WLA? Additionally, how will a change in one WLA affect the other components of the TMDL (e.g., TMDL, MOS, and LA), where $TMDL = WLA + LA + MOS$? Please explain how these parameters are accounted for with a variable WWTP flow, and a variable WLA.
6. If the TMDL is developed using average flows, particularly average facility flow rather than design flow, is there a provision in the TMDL envisioned that would allow a facility to get additional loading if needs to discharge up to design capacity, without revising the TMDL?

7. Is there impact on this process if NMED promulgates temporary standards?